S.B.CRIMINAL MISC. BAIL APPLICATION NO.5065/2007
(Kalu vs. State of Rajasthan)

DATE OF ORDER : October 10, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Shambhoo Singh, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It appears that co-accused Anwar impersonating himself to be Amra stood surety in a bail granted to accused Arjun etc. Co-accused Anwar has been arrested and has been released on bail. From the perusal of the order impugned, it nowhere appears that as to how and what role has been played by the petitioner.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Kalu s/o Dhira Roat in FIR No.143/2007,

Police Station, Kotwali, Dungarpur, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-